

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 89250

Esther Martin
Willie Martin

420 Meadow Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 6, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC). The Respondent was charged with violating §13-7-310 (a), the failure to remove trash, junk and debris; §35-5-302 (b)(7), the failure to repair damaged fence and gate.

On March 16, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,200.00 (one thousand two hundred dollars).

The following persons appeared for the Hearing and testified: Esther Martin, Respondent and Ryan Fisher, Baltimore County Code Enforcement Officer.

Inspector Fisher testified the Respondents have a long violation history with many complaints for junk, trash and debris in the rear yard. Inspector Fisher indicated that he receives complaints from neighbors every week concerning the property. The property was re-inspected on April 5, 2011 and significant progress was made, but much trash and junk remains. Ms. Martin testified that she has attempted to comply with the March 16, 2011 citation and pledged to complete the clean-up and fence repair in the very near future.

In light of the testimony and photographs, I find the Respondent to be in violation of BCC §13-7-310 and 35-5-302.

THEREFORE:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,200.00 (one thousand two hundred dollars).

IT IS FURTHER ORDERED that \$1,000.00 of the \$1,200.00 civil penalty be suspended, with an immediate \$200.00 fine imposed at this time. If not paid within thirty days of billing, the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the remaining \$1,000.00 will be imposed if the property is not brought into compliance by April 18, 2011, as verified by Inspector Fisher.

IT IS FURTHER ORDERED that Baltimore County shall engage the services of an on-call contractor to clean up the Respondent's premises if they have not brought the property into compliance on or before April 18, 2011, and the costs incurred for such services shall be placed as a lien on the premises at 420 Meadow Road.

IT IS FURTHER ORDERED that the suspended portion of the civil penalty may be imposed upon the subsequent finding against the Respondent for the same violation.

ORDERED this 11th day of April 2011

Signed: Original Signed 4/11/11
John E. Beverungen
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.